

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

GOVERNMENTAL OVERSIGHT AND ACCOUNTABILITY

Senator Ring, Chair
Senator Siplin, Vice Chair

MEETING DATE: Thursday, April 14, 2011

TIME: 11:00 a.m.—12:30 p.m.

PLACE: *Toni Jennings Committee Room, 110 Senate Office Building*

MEMBERS: Senator Ring, Chair; Senator Siplin, Vice Chair; Senators Benacquisto, Bogdanoff, Dean, Fasano, Flores, Garcia, Latvala, Margolis, Montford, Norman, and Wise

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|--|---|-----------------------------|
| 1 | SJR 1704 Hays (Compare HJR 7037) | Judicial Qualifications Commission; Proposes an amendment to the State Constitution to require that certain proceedings, records, and materials of the Judicial Qualifications Commission be open to the public and to require the commission to notify the Speaker of the House of Representatives of complaints received or initiated, investigations conducted, and complaints concluded. JU 03/28/2011 Not Considered JU 04/04/2011 Favorable GO 04/14/2011 Temporarily Postponed RC | Temporarily Postponed |
| 2 | CS/SB 1328 Criminal Justice / Hays (Similar CS/H 677) | Public Records/Office of Financial Regulation; Provides an exemption from public records requirements for information held by the Office of Financial Regulation which is received from another state or federal agency and which is otherwise confidential or exempt pursuant to the laws of that state or federal law. Provides an exemption from public records requirements for information held by the office which is received or developed by the office as part of a joint or multiagency examination or investigation with another state or federal agency, etc. BI 03/22/2011 Favorable CJ 04/04/2011 Fav/CS GO 04/14/2011 Favorable | Favorable Yeas 12 Nays 0 |
| 3 | SJR 1438 Hays (Identical HJR 1103) | Sovereignty of the State; Proposes an amendment to the State Constitution to assert the sovereignty of the state and refuse to comply with unconstitutional federal mandates. JU 04/04/2011 Favorable GO 04/14/2011 Favorable RC | Favorable Yeas 12 Nays 0 |

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| 4 | SB 1352 Hays (Similar H 923) | Public Works Projects; Prohibits the state and political subdivisions that contract for the construction, maintenance, repair, or improvement of public works from imposing certain conditions on certain contractors, subcontractors, or material suppliers or carriers. Provides an exception. Prohibits the state and political subdivisions from restricting qualified bidders from submitting bids, being awarded any bid or contract, or performing work on a public works project. Revises written protest filing requirements for protests to contract solicitations or awards, etc. CA 04/04/2011 Favorable GO 04/14/2011 Temporarily Postponed BC | Temporarily Postponed |
| 5 | SB 1192 Rich (Compare CS/H 579) | Public Records/Regional Autism Centers; Provides an exemption from public records requirements for all records that relate to a client of a regional autism center, the client's family, or a teacher or other professional who receives the services of a center or participates in center activities. Provides for release of specified confidential and exempt information by a center under certain circumstances. Provides for review and repeal of the exemption. Provides a statement of public necessity. CF 03/14/2011 Favorable HR 04/12/2011 Fav/1 Amendment GO 04/14/2011 Fav/CS | Fav/CS Yeas 12 Nays 0 |
| 6 | CS/CS/SB 88 Judiciary / Community Affairs / Gaetz (Similar CS/H 43) | Public Employee Compensation; Revises provisions relating to the prohibition against the payment of extra compensation. Prohibits provisions in contracts that provide for severance pay. Allows for severance pay under specified circumstances. Deletes a provision that allows a municipality to pay extra compensation. Repeals provisions relating to a prohibition against severance pay for officers or employees of water management districts, etc. CA 03/07/2011 Fav/CS JU 04/04/2011 Fav/CS GO 04/14/2011 Fav/CS | Fav/CS Yeas 12 Nays 0 |

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| 7 | CS/CS/SB 952 Higher Education / Commerce and Tourism / Richter (Similar CS/CS/H 599) | Uniform Prudent Management of Institutional Funds; Provides requirements for the management of funds held by an institution exclusively for charitable purposes. Provides standards of conduct in managing and investing institutional funds. Provides requirements for appropriation for expenditure or accumulation of an endowment fund by an institution. Authorizes an institution to delegate to an external agent the management and investment of an institutional fund, etc. CM 03/22/2011 Fav/CS HE 04/04/2011 Fav/CS GO 04/14/2011 Favorable BC | Favorable Yeas 12 Nays 0 |
| 8 | CS/SB 1610 Commerce and Tourism / Detert (Similar CS/H 1425) | State Minimum Wage; Conforms a provision to changes made by the act. Provides for calculating the adjusted real wage rate and its application as the Florida minimum wage when both the previous year's Florida minimum wage and the federal minimum wage are lower. Provides definitions. Conforms a cross-reference. CM 04/12/2011 Fav/CS GO 04/14/2011 Favorable BC | Favorable Yeas 9 Nays 4 |
| 9 | CS/CS/SB 1346 Children, Families, and Elder Affairs / Commerce and Tourism / Commerce and Tourism (Compare CS/H 4041, H 7163, H 7165, H 7167, H 7169, H 7171, H 7173, H 7175, H 7177, H 7179, CS/H 7229, S 1362, S 1862, S 2156) | Obsolete References and Programs; Removes an obsolete reference to the Department of Commerce and the Department of Labor and Employment Security. Updates a reference to the Department of Commerce to refer instead to the Office of Tourism, Trade, and Economic Development. Repeals provisions relating to agreements of the Department of Labor and Employment Security with county tax collectors. Repeals provisions relating to child abuse prevention training in the district school system, etc. CM 03/16/2011 Fav/CS CF 04/04/2011 Fav/CS GO 04/14/2011 Favorable | Favorable Yeas 12 Nays 0 |

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| 10 | CS/SB 1434 Transportation / Latvala (Compare S 2160) | Office of Motor Carrier Compliance; Creates a motor carrier weight inspection area of program responsibility within the Department of Transportation, which replaces motor carrier compliance. Creates the Office of Motor Carrier Compliance within the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles. Creates the Law Enforcement Consolidation Task Force. Provides for membership. Requires the task force to make recommendations and submit a report to the Legislature by a certain date. Provides for future expiration, etc. TR 03/16/2011 TR 03/22/2011 Fav/CS GO 04/14/2011 Temporarily Postponed CJ BC | Temporarily Postponed |
| 11 | CS/SB 1574 Military Affairs, Space, and Domestic Security / Latvala (Compare H 1161) | Business Enterprise Opportunities/Wartime Veterans; Revises legislative intent. Renames and revises the Florida Service-Disabled Veteran Business Enterprise Opportunity Act to expand the vendor preference in state contracting to include certain businesses owned and operated by wartime veterans or veterans of a period of war. MS 04/05/2011 Fav/CS GO 04/14/2011 Favorable BC | Favorable Yeas 13 Nays 0 |
| 12 | CS/SB 994 Commerce and Tourism / Latvala (Identical CS/H 913) | Public Records/Public Airports; Provides definitions. Provides an exemption from public records requirements for proprietary confidential business information and trade secrets held by a public airport and for any proposal or counterproposal exchanged between a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport facilities. Provides for expiration of the exemptions. Provides for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act. Provides a finding of public necessity. CA 03/14/2011 Fav/1 Amendment CM 04/05/2011 Fav/CS GO 04/14/2011 Favorable | Favorable Yeas 13 Nays 0 |

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| 13 | SB 224 Dean (Similar CS/H 107) | Local Government Accountability; Amends provisions relating to the Legislative Auditing Committee to clarify when the Department of Community Affairs may institute procedures for declaring that a special district is inactive. Specifies the level of detail required for each fund in the sheriff's proposed budget. Revises the schedule for submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services. Revises provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund, etc. CA 01/25/2011 Favorable GO 04/14/2011 Fav/CS BC | Fav/CS Yeas 13 Nays 0 |
| 14 | CS/SB 1962 Community Affairs / Garcia (Compare H 1269) | Revitalizing Municipalities; Provides for the transfer of certain sales tax revenues from the General Revenue Fund to the Revenue Sharing Trust Fund for Municipalities. Provides for a distribution from the Revenue Sharing Trust Fund for Municipalities relating to an increase in sales tax collections over the preceding year to the governing body of an area that receives tax increment revenues pursuant to a designation as a sales tax TIF area. Revises provisions relating to the enterprise zone development agency, etc. CA 04/04/2011 Fav/CS GO 04/14/2011 Favorable BC | Favorable Yeas 13 Nays 0 |
| 15 | CS/SB 1456 Children, Families, and Elder Affairs / Garcia (Similar CS/H 1473, Compare CS/H 1125, S 1922) | Public Records/Florida Health Choices; Provides exemptions from public records requirements for personal identifying information of an enrollee or participant in the Florida Health Choices Program, client and customer lists of buyers' representatives which are held by Florida Health Choices, Inc., and proprietary confidential business information of vendors which is held by Florida Health Choices, Inc. Provides for disclosure of such confidential and exempt information to certain persons and entities upon written request. Provides for future legislative review and repeal of the exemptions, etc. HR 03/22/2011 Favorable CF 04/04/2011 Fav/CS GO 04/14/2011 Fav/CS | Fav/CS Yeas 13 Nays 0 |

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| 16 | SM 1598 Siplin (Similar HM 1287) | Tax Increase Prevention and Reconciliation Act; Urges the Congress of the United States to support repeal of Section 511 of the Tax Increase Prevention and Reconciliation Act, which requires governments that annually spend more than \$100 million to withhold a 3 percent federal tax on payments made for certain goods and services. GO 04/14/2011 Fav/CS CA | Fav/CS Yeas 13 Nays 0 |
| A proposed committee substitute for the following bill (SB 2090) is expected to be considered: | | | |
| 17 | SB 2090 Governmental Oversight and Accountability (Similar CS/H 7223) | OGSR/Submission of Competitive Solicitation; Amends provisions which provide an exemption from public records requirements for bids, proposals, or replies submitted to an agency in response to a competitive solicitation. Expands the public records exemption by extending the duration of the exemption. Amends provisions which provide an exemption from public meetings requirements for meetings at which a negotiation with a vendor is conducted and which provides an exemption from public records requirements for recordings of exempt meetings, etc. GO 04/05/2011 Temporarily Postponed GO 04/14/2011 Fav/CS BC | Fav/CS Yeas 13 Nays 0 |
| A proposed committee substitute for the following bill (SB 2056) is expected to be considered: | | | |
| 18 | SB 2056 Rules Subcommittee on Ethics and Elections (Similar H 7159) | OGSR/Commission on Ethics; Amends provisions which provide exemptions from public records and public meeting requirements for records and meetings related to audits and investigations conducted by the Commission on Ethics of alleged violations of certain lobbyist registration and reporting requirements. Saves the exemptions from repeal under the Open Government Sunset Review Act. Removes the scheduled repeal of the exemptions. EE 03/28/2011 Favorable GO 04/14/2011 Temporarily Postponed | Temporarily Postponed |

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| 19 | SB 2174 Governmental Oversight and Accountability (Similar H 7225) | OGSR/State Board of Administration; Transfers, renumbers, and amends provisions which provide exemptions from public records requirements for the State Board of Administration. Specifies information that does not constitute proprietary confidential business information held by the State Board of Administration. Requires the State Board of Administration to maintain a written list of records covered under a verified, written declaration. Conforms cross-references. Makes editorial changes. Removes the scheduled repeal of the exemptions. GO 04/14/2011 Favorable | Favorable Yeas 11 Nays 2 |

| TAB | OFFICE and APPOINTMENT (HOME CITY) | FOR TERM ENDING | COMMITTEE ACTION |
|---|--|-----------------|--|
| Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated. | | | |
| Investment Advisory Council | | | |
| 20 | Garcia, Martin L. Esquire (Tampa) | 02/01/2015 | Recommend Confirm Yeas 13 Nays 0 -Pending Reconsideration |
| | Newman, Charles W. (Ponte Vedra Beach) | 02/01/2015 | Temporarily Postponed |